



## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-1208; FR ID 134131]

### Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995 (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

**DATES:** Written PRA comments should be submitted on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email to [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

**SUPPLEMENTARY INFORMATION:**

**OMB Control Number:** 3060-1208.

**Title:** Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies.

**Form Number:** N/A.

**Type of Review:** Extension of a currently approved collection.

**Respondents:** Individuals or households, business or other for-profit entities, not-for-profit institutions and State, local or Tribal governments.

**Number of Respondents:** 1,350 respondents; 3,597 responses.

**Estimated Time per Response:** .5 hours to 1 hour.

**Frequency of Response:** Third-party disclosure requirement.

**Obligation to Respond:** Required to obtain or retain benefits. Statutory authority for this information collection is contained in Sections 1, 2, 4(i), 7, 201, 301, 303, and 309 of the Communications Act of 1934, as amended, and Sections 6003, 6213, and 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156, 47 U.S.C. 151, 152, 154(i), 157, 201, 301, 303, 309, 1403, 1433, and 1455(a).

**Total Annual Burden:** 3,535 hours.

**Total Annual Cost:** None.

**Needs and Uses:** This information collection will be submitted for extension to the Office of Management and Budget (OMB) after the 60-day comment period to obtain the full three-year clearance. The Commission has not changed the collection, which includes disclosure requirements pertaining to Subpart U (previously subpart CC) of Part 1 of the Commission's rules.<sup>1</sup> Subpart CC was originally adopted to implement and enforce Section 6409(a) of the Middle Class Tax Relief and Job Creation Act

---

<sup>1</sup>On September 27, 2018, the Commission released a Declaratory Ruling and Third Report and Order that redesignated 47 CFR 1.40001 of Subpart CC as 47 CFR 1.6100 under Subpart U (State and Local Government Regulation of the Placement, Construction, and Modification of Personal Wireless Service Facilities). *See* Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, FCC 18-133, 33 FCC Rcd. 3102 (2018). This change became effective January 14, 2019 upon publication in the Federal Register. *See* Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, 83 FR 51867 (2019).

of 2012. Section 6409(a) provides, in part, that “a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.” 47 U.S.C.

1455(a)(1). In Subpart CC, the Commission adopted definitions of ambiguous terms, procedural requirements, and remedies to provide guidance to all stakeholders on the proper interpretation of the provision and to enforce its requirements, reducing delays in the review process for wireless infrastructure modifications and facilitating the rapid deployment of wireless infrastructure.

The following are the information collection requirements in connection with Subpart U of Part 1 of the Commission’s rules:

- 47 CFR 1.6100(c)(3)(i) (previously 1.40001(c)(3)(i)) – To toll the 60-day review timeframe on grounds that an application is incomplete, the reviewing State or local government must provide written notice to the applicant within 30 days of receipt of the application, clearly and specifically delineating all missing documents or information. Such delineated information is limited to documents or information meeting the standard under paragraph (c)(1) of this section.
- 47 CFR 1.6100(c)(3)(iii) (previously 1.140001(c)(3)(iii)) – Following a supplemental submission from the applicant, the State or local government will have 10 days to notify the applicant in writing if the supplemental submission did not provide the information identified in the State or local government’s original notice delineating missing information. The timeframe for review is tolled in the case of second or subsequent notices of incompleteness pursuant to the procedures identified in paragraph (c)(3). Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.
- 47 CFR 1.6100(c)(4) (previously 1.140001(c)(4)) – If a request is deemed granted because of a failure to timely approve or deny the request, the deemed grant does not become effective until the applicant notifies the applicable reviewing authority in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

These collections are necessary to effectuate the rule changes that implement and enforce the requirements of Section 6409(a).

**Federal Communications Commission.**

**Marlene Dortch,**

*Secretary,*

*Office of the Secretary.*

[FR Doc. 2023-06813 Filed: 3/31/2023 8:45 am; Publication Date: 4/3/2023]